

REMARKS

The Examiner is again respectfully requested to clarify which claims have been indicated as being allowable. On Form PTOL-326, claims 19, 22-26 and 28 were indicated as being allowable, but on page 12 of the action, claims 22-28 were indicated as being allowable. Yet, the action appears to suggest that only claims 22-26 were deemed allowable.

The obviousness rejections of the claims are all based on U.S. Patent Publication No. 2006/0245763 to Ishida as the primary reference. Yet, *Ishida is not a valid reference*.

Ishida was filed on August 27, 2003 as International Application No. PCT/JP03/10856 without any priority claimed. Hence, the effective date of Ishida, as a reference, is its PCT publication date. PCT/JP03/10856 was published on March 17, 2005 as International Publication No. WO 2005/025094. Hence, the effective date of Ishida, as a reference, is *March 17, 2005*.

By contrast, the instant application was derived from International Application No. PCT/EP2004/051329, filed July 1, 2004, and claimed the priority of Germany Application No. DE 10329459.7, filed July 1, 2003. Hence, the effective date of the instant application is *July 1, 2003*.

Since the effective date of the instant application *precedes* the effective date of Ishida, Ishida is *not* a valid reference, and all the outstanding obviousness rejections that rely on Ishida as a primary reference are improper and should be withdrawn.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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